

# Smoke-free Multi-Unit Housing and Outdoor Air



Proposed Ordinance Amendments  
August 2012

# Secondhand Smoke



- 6<sup>th</sup> leading cause of preventable death in the US (55,000 deaths per year)
- Children exposed to secondhand smoke are 44% more likely to suffer from asthma

# Smoking related impacts to residential properties



- Smoking-related fire hazards
- Property damage (burn damage to carpets, counters; smoke residue on walls and curtains)
- Property-casualty insurance savings if smokefree
- Market demand for smokefree housing

# Additional monetary impacts



## Cost to Rehabilitate a Unit Where Smoking is Prohibited vs. a Unit Where Smoking is Allowed

	Non-Smoking	Light Smoking	Heavy Smoking
General Cleaning	\$240	\$500	\$720
Paint	\$170	\$225	\$480
Flooring	\$50	\$950	\$1,425
Appliances	\$60	\$75	\$490
Bathroom	\$40	\$60	\$400
Total	\$560	\$1,810	\$3,515

Data reflects surveys from housing authorities and subsidized housing facilities in New England.

# The Proposed Ordinance: Smokefree Outdoor Air



Component	Recommended Amendments
Outdoor Dining	Prohibit smoking in all outdoor dining areas.
Entryways	Prohibit smoking 20 feet from entryways of buildings where smoking is prohibited (includes all places of business, multi-family housing units).
Public Events	Prohibit smoking at all public events, but designated smoking areas are permitted.
Recreation Areas	Regulate smoking in recreation areas by prohibiting smoking within 200 feet of areas of heavy use, such as playgrounds, sports fields and courts, picnic areas, and dog parks.
Service Areas	Prohibit smoking in all outdoor service areas (bus stops, ATM and ticket lines, etc).
Worksites	Prohibit smoking in outdoor construction sites.

# The Proposed Ordinance: Smokfree Multi-Unit Residences



<b>Component</b>	<b>Recommended Amendments</b>
Multi-unit residences	Require 100% of existing and new multi-unit residences (apartments and condominiums) to be declared nonsmoking, in properties of 2 units or more. All existing multi-unit properties (with 2 or more units) will have until a specified date following adoption of an ordinance to comply. This provision must be incorporated into leases for rental units and covenants, conditions and restrictions (CC&Rs) for condominiums.
Common Areas	Prohibit smoking in all indoor and outdoor common areas, but allow for designated smoking areas.

# Multi-unit residential properties



- Train employees
- Post signage
- Notify tenants
- Designate a smoking area (optional)
- Establish procedure for handling complaints
- Amend new leases (lease amendments or new language) for rental units
- Amend CC&Rs for condominiums

# Communicate Policy Change



- **Meetings** - Schedule group meetings, especially at large developments
- **Letters** – Notification should always be in writing so that both landlords and tenants have a record of communication about policy
- **Signage** – Tenants and especially their guests, will need to be reminded that there is no smoking in building common areas and designated smoke-free units



# Rental Enforcement Procedures



- Enforce similar to other complaints (noise/pets)
- Have complaints submitted in writing
- Use progressive warning letters stating the specific date/time smoke was detected

# Condominium Enforcement Procedures



- Enforce similar to other CC&R regulations
- Keep a record of complaints
- Fines
- Restrict rights to use common areas
- Lawsuits

# County Support



- Provides assistance in strategizing to solve problems
- Sends complaint letters to violators
- Follow-up calls to see if letter has been received and provide tips for compliance

# Questions?

